

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

FILED
U.S. Bankruptcy Court
OCT 02 2023

In re:

TERI GALARDI,

Middle District of Georgia

Debtor.

Case No. 22-50035-JPS

Chapter 11

ASTRID E. GABBE

Contested Matter

Movant.

v.

JENISEE LONG

Respondent.

**JENISEE LONG'S RESPONSE TO
ASTRID E. GABBE'S OBJECTION TO PROOF OF CLAIM NO. 115 (DOC 544)**

Now Comes Jenisee Long and files this Response respectfully showing the Court as follows:

Claim No. 115 Constitutes *Prima Facie* Evidence

1. Bankruptcy Rule 3001(f), a proof of claim "executed and filed in accordance with these rules" constitutes *prima facie* evidence of both the validity and amount of the claim.
2. Claim No. 115 meets the minimum requirements of Rule 3001(f) and enjoys *prima facie* status.

Ms. Gabbe Does Not Have Standing to Object to Claim #115

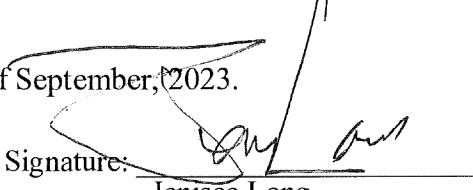
3. The Court previously sustained an objection by the Liquidating Trustee, as unopposed, to Claim 105 (Ms. Gabbe's claim related to Long's proof of claim) (See Doc. 464). The Objection is barred by *res judicata*.

4. Ms. Gabbe is not a creditor or party in interest with respect to claim #115.
5. Ms. Gabbe's charging lien is not enforceable in the Middle District of Georgia against the Debtor or anyone else.

The Charging Lien Violates the Automatic Stay and Permanent Injunction

6. The charging lien attached to Ms. Gabbe's objection was stamped filed by the clerk of the court on **August 25, 2023** and automatically served on the Debtor while in bankruptcy.
7. The filing of the charging lien on the *Milner* court docket violates the automatic stay and is void *ab initio*.
8. The charging lien also violates the permanent injunction found in the Confirmation Order.
9. The objection to claim No. 115 should be overruled.

Respectfully submitted this 28th day of September, 2023.

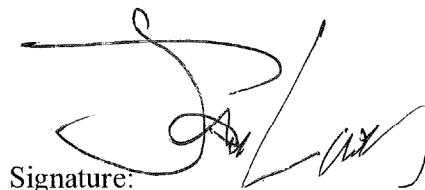
Signature: 
Jenisee Long

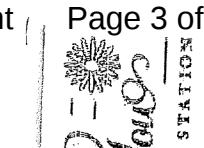
2107 Center St.
Covington, KY 41014

Certificate of Service

This is to certify that I have filed the foregoing **JENISEE LONG'S RESPONSE TO ASTRID E. GABBE'S OBJECTION TO PROOF OF CLAIM NO. 115 (DOC 544)** by U.S. Mail.

DATE: 9-28-2023

Signature: 



Buffalo.

STATION

ORLANDO FL 328

28 SEP 2023 PM 5 L -

Thinking of You

US BANKRUPTCY COURT
Middle District of GA.
P.O. BOX 1957

MACON, GA 31202

31202-155757

